What we have been alleging and bringing forth, the military construction bill, is not bald-faced horsefeathers, or some other regional folkloric terminology the gentleman from Wisconsin is so good at using. It is a very serious matter, this legislation, and it is very important to the national security of this country.

And these arguments, I think, we have refuted most effectively, in terms of this having been supposedly surreptitious or unprecedented. That is not true. It is not true, and I feel very proud of the gentleman from California (Mr. PACKARD) and of the chairman of the Committee on Rules in bringing forth this legislation under an open rule. And we have a very distinguished and admirable record of bringing forth important pieces of legislation, and most legislation, under open rules.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON), the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, let me just briefly say that, first of all, this rule is not going to be defeated because every Republican is going to vote for this rule, and I will see to it. That means it is going to pass. And there are also a lot of good Democrats that are going to vote for this rule, because it is absolutely imperative.

Everyone knows, and the gentleman from Wisconsin (Mr. OBEY) knows, as does the gentleman from Maryland (Mr. CARDIN), that if we do not have this provision in the first appropriation bill coming up, it means a point of order lies against all other appropriation bills. So I will say to my good friend, the gentleman from Miami, Florida (Mr. LINCOLN DIAZ-BALART), it is not just the military construction appropriation bill, it is the veterans' bill, the Departments of Veterans and Housing, but it is every Federal program.

Mr. Speaker, we have some people around here that just want to raise points of order against everything. And we all know that they would do it. It stops dead in its tracks every single appropriation bill for every Federal program that we have today. So Members ought to come over here, vote for this rule, and then vote for the bill. It is terribly important.

When we talk about veterans or the military construction budget, right now we are in a dilemma, because the defense budget of this country, and I see the gentleman from Missouri (Mr. IKE SKELTON), one of the best Democrats that ever served in this body over there, ranking member of the Committee on National Security, he knows if we stop these appropriation bills we are stopping research and development in our military and we are stopping procurement. These contracts have to go forward so that the young men and women serving in our military today have the best state-of-the-art that we can give them. God forbid if they are ever called into harm's way. And with what is happening in nuclear proliferation around this world, it can happen tomorrow, in Kosovo and other places.

Let us use some sense here. Stop being hypocritical and come over here and vote for the rule.

Mr. DIAZ-BALART. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. PACKARD).

Mr. PACKARD. Mr. Speaker, I thank the gentleman for yielding me this time.

I did not intend to speak. I thought this rule would go quickly and we would be done almost an hour ago. There is not anyone more controversial in this body than the gentleman from North Carolina (Mr. HEFNER) and myself. I recognize that. But it was a surprise that we found so much controversy on this rule.

My colleagues on the other side of the aisle cannot have it both ways. They cannot complain about the slowness of the process and the fact that we are not bringing the appropriation bills to the floor, and then proceed to prevent us from bringing our appropriation bills to the floor.

We simply feel that we are following the procedures under the circumstances we find ourselves in. We are following the procedures to allow us to bring this and all the other appropriations bills to the floor as rapidly as we can.

□ 1015

I intend to be on the floor, the gentleman from North Carolina (Mr. HEFNER) and I, next Monday, the very next legislative day. If we do not pass this rule, it obviously prevents us from doing so. If we do not follow that, then each appropriations bill will be delayed and then my colleagues will have another legitimate reason to say that we are not moving forward with the appropriating process and we are leading to a shutdown or a continuing resolution. That is what we heard today.

All we are asking in this rule is to allow us to bring the military construction bill to the floor next Monday and do our job. We have cut this bill over 10 percent from last year's appropriated level. The President cut it 15 percent. We have had to add on in this bill to even make it so that we are doing some semblance of a job of taking care of our military needs.

All we are asking at this time is that they allow us to move forward by passing this rule.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. PACKARD. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I simply want to make it clear, we have absolutely no criticism of the job the gentleman has done. He has simply run into an accident that started out to happen to somebody else. That is the problem here.

I want to make clear that when we do get to his bill, there will be a lot of Democrats supporting his bill, including this one.

Mr. PACKARD. But the fact is, my colleagues, we will not get to my bill and the Hefner bill unless we pass this rule. We hope that all Members will help us do that.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

I obviously support this rule. It is a fair rule. It is an open rule. It is important to bring the underlying legislation to the floor as soon as possible. The gentleman from California (Mr. PACKARD) has stated that we will have it on the next legislative day, on Monday, on the floor if we pass this rule. So I urge my colleagues to vote for it.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. LATOURETTE). The previous question was ordered.

Mr. OBEY. Mr. Speaker, I ask unanimous consent to divide the question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. SOLOMON. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this question are postponed.

The point of no quorum is considered withdrawn.

PROVIDING FOR CONSIDERATION OF H.R. 4060, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1999

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 478 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 478

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4060) making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 7 of rule XXI are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for

amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2, 5(b), or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), the distinguished ranking member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 478 makes in order H.R. 4060, the fiscal year 1999 Energy and Water Development Appropriations bill, under a completely open rule, which the Committee on Rules reported by voice vote.

As is customary, the rule provides for 1 hour of general debate, equally divided between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives clause 7 of rule XXI, which requires printed hearings and reports to be available 3 days prior to consideration of an appropriations bill. Waiving this rule facilitates consideration of this noncontroversial bill, which the Subcommittee on Energy and Water reported by voice vote.

The rule also waives clause 2 of rule XXI, which prohibits legislating on an appropriations bill. The Committee on Rules conferred with the authorizers and determined there was no opposition to this waiver.

Similarly, the Committee on Ways and Means has no problem with waiving clause 5(b) of rule XXI, which addresses tax and tariff provisions under that committee's jurisdiction. The rule also waives clause 6 of rule XXI, which prohibits reappropriations in a general appropriations bill.

To ensure an orderly amendment process, the rule allows the Chair to accord priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Further, the Chair may postpone and reduce votes to 5 minutes, as long as the first vote in any series is a 15-minute vote.

Finally, the rule provides for the customary motion to recommit, with or without instructions.

Mr. Speaker, like many of my colleagues, I was shocked to learn that the President's fiscal year 1999 budget proposal would cut spending for the construction of new levees, flood walls, and other protective water infrastructure by almost 50 percent.

In fact, the recommended funding levels for these projects, managed by the Army Corps of Engineers, would be the lowest in real dollars in the history of the civil works program.

How quickly the administration forgets. It was only 5 years ago that the Midwest was ravaged by floods which caused millions of dollars in damage and waged a devastating human emotional toll on those citizens who lost their homes, businesses, and communities to ever-rising flood waters.

Even more recently, the State of California has battled unrelenting floods that left the citizens searching for the means to rebuild their communities.

It is unclear where the next flood tragedy will appear. But eviscerating the construction budget of the Corps of Engineers only ensures that the damage will be more widespread.

Our recent past should convince us that investing in a defense system to prevent flood damage is far preferable to spending the money on cleanup after lives have been destroyed.

My constituents in central Ohio would be directly affected by the shortsightedness of the administration's budget. The West Columbus floodwall is currently being built to protect the homes and businesses along our Scioto River from catastrophic floods.

In 1913, 1937, and 1959, the Scioto overflowed its banks, causing millions of dollars' worth of damage to both residential and commercial property. Without floodwall protection, 17,000 residents continue to be placed at risk of life, injury and personal hardship. And that is only my story.

Construction of the West Columbus floodwall has been on track since it began in 1993. The U.S. Army Corps of Engineers identified a need for $16 billion in the next fiscal year to keep the project on schedule toward completion. Yet, the President slashed the Corps' budget.

I would like to commend the gentleman from Pennsylvania (Mr. MCDADE), the chairman, and the gentleman from California (Mr. FAZIO), the ranking member, and the rest of my colleagues on the Appropriations Subcommittee on Energy and Water for crafting a very fiscally responsible bill that restores these devastating cuts proposed in the President's budget, while at the same time keeping spending below the fiscal year 1998 level.

As my colleagues know, the energy and water bill provides funding for much more than flood protection. This legislation funds the Bureau of Reclamation, the Department of Energy, the Appalachian Regional Commission, and the Nuclear Regulatory Commission.

In their bill, the subcommittee was able to increase spending on programs, such as the solar and renewable programs, science programs, and the atomic energy defense activities.

The bill also includes important funding for defense environmental management and cleanup of hazardous and radioactive materials. These dollars will clean up sites throughout the country which were contaminated during the production of nuclear weapons.

Additionally, provisions of the bill seek to increase the efficiency of the Department of Energy through contract competition and reevaluation of the Department's organizational structure.

Mr. Speaker, the final product of the work of the subcommittee is $78.7 million below fiscal year 1998, keeping us on track to a balanced budget and a smaller, smarter government.

My colleagues in the Committee on Rules, both Democrat and Republican, had nothing but praise for the efforts of the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) to produce a balanced, bipartisan bill.

Mr. Speaker, I urge my colleagues to support this fair and open rule, which will provide for a thorough debate of spending priorities.

Further, I urge my colleagues to support the subcommittee's fine work by voting yes on this responsible energy and water appropriations bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume. I thank my colleague my dear friend the gentlewoman from Ohio (Ms. PRYCE) for yielding me the customary half hour.

Mr. Speaker, I rise in support of this rule and I urge my colleagues to support the Energy and Water Appropriations bills. I must say, though, Mr. Speaker, there is something curious in the bill.

Last year, my good friend the gentleman from New York (Mr. SOLOMON), the chairman, talked about the Armey protocol in which any provision objected by the authorizing committee members will be exposed to a point of order. But this year, the very first year it comes up, my Republican colleagues have decided to abandon the principles of the Armey protocol in terms of this rule.

Specifically, the gentleman from Michigan (Mr. DINGELL) and the gentleman from Virginia (Mr. BLILEY), the ranking member and the chairman of the Committee on Commerce, the authorizing committee, wrote a letter objecting to the legislative language in

this bill that falls within their jurisdiction. The request was completely ignored by the Republicans on the Committee on Rules, breaking faith with their own leadership protocol.

In terms of the bill, though, I want to congratulate my colleagues the gentleman from California (Mr. FAZIO) and the gentleman from Pennsylvania (Mr. MCDADE) for another job very well done. They and their colleagues have worked hard and long to give us a bill that meets most of our energy and water infrastructure needs, and for that we owe them a great debt of gratitude.

This appropriations bill will provide $3.9 billion dollars for the Army Corps of Engineers, which is above President Clinton's request but still less than we appropriated last year. That means that the level of funding is somewhere near what is required to fund worthy projects which are authorized and are ready for construction.

The bill also contains funding for the Department of Energy, which is $305 million more than last year but $867 million less than the President requested.

Unfortunately, we are just now beginning to feel the restraints of the Balanced Budget Agreement which was enacted only last year, and that means that many deserving energy initiatives could not be as fully funded as we had hoped.

For example, the Energy Department should be spending some of their time developing clean, non-greenhouse gas power sources. But the freeze this bill imposes on the solar and renewable energy program will seriously undermine that effort.

The bill also denies the administration's request for an additional $110 million for research and development related to global climate changes.

Mr. Speaker, this is the energy we need to develop in order to reduce greenhouse gas emissions and lower people's energy costs.

Mr. Speaker, the bill also makes some potentially dangerous cuts in the funding to clean up nuclear waste. And, Mr. Speaker, if the Energy Department does not clean up nuclear waste, who will?

□ 1030

Finally, the bill increases funding for basic science research and development. We are pleased that the committee was able to provide some increase over the President's budget request for fusion energy programs.

There were some really difficult choices for the Committee on Appropriations this year, mainly due to the strict limits in the balanced budget agreement. This means that any extra funding given to one program has to come out at the expense of other very important programs.

But, Mr. Speaker, this bill is coming to the floor with an open rule, and any Member that has an amendment that conforms to House rules can present it.

I urge my colleagues to support this rule.

Mr. Speaker, I reserve the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, in contrast to the last rule, I fully support this rule, and I want to explain why and explain the difference.

We heard speakers on the previous rule suggest that if we voted that rule down, that somehow we in the Democratic minority would be responsible for holding up the appropriations process. I would simply make the point to my friends on the majority side of the aisle, you are in the majority, you have the votes to pass any provision you want and any rule you want on this House floor, and you have demonstrated that many times. But I would just simply say this. Do not ask us to support a rule on the companion bill that was just before us simply because you cannot get your act together on passing the basic budget in the first place. When that budget was before this House, which changed the agreement that you had reached with the President of the United States last year to establish a very different trend line for appropriations than was the case in that bipartisan budget agreement, we warned you at that time that the budget resolution that you were passing would never pass your own Republican Members in the other body, in the Senate. You ignored that warning, and now you are finding out that that is true. You are finding out that your own Republican colleagues in the Senate believe that the budget that you passed was extreme, and, in fact, the rules preclude me from naming other Senators but the Senator who is chairman of the Budget Committee in the Senate, a Republican, said as much.

I would simply ask, why did we go through the charade of passing that budget in the first place if you yourselves did not intend to abide by it? That is my question today.

Mr. Speaker, I would simply say that what you have done in the previous rule in contrast to this one, in the previous rule what you did was bring to the floor a stealth provision which calls for the amending of the budget resolution which you passed with such fanfare just 2 weeks ago. I find that procedure quaint but not surprising, because it simply demonstrates what everyone knew but did not admit when that bill was before us, that that budget was essentially a political document to allow the majority party to pretend that it had room in the budget for a tax cut when in fact it is not able to pass the budget resolution which would make that tax cut possible.

I will simply say, I will vote for the rule on this bill, because this rule does not contain that gimmick. The previous rule simply asked every member of our party and every member of yours to ignore the very rules which you imposed on this House just 10 days ago. Maybe you can explain that in your caucus. I would find it very difficult to explain in ours.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. HEFNER).

(Mr. HEFNER asked and was given permission to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, this is a troubling time for me. We were before the Committee on Rules on Military Construction, and I think it is a very good bill that we put together with limited funds. But there is an old saying that goes, ''Oh what a tangled web we weave when first we practice to deceive.''

If I might just remind Members the process that went on just a week ago. We had on this floor a budget. We had the Kasich budget; we had the Republican substitute, which did not pass; we had a so-called Blue Dog budget that tracked very closely to what the budget was in the other body that had the votes to pass, but it was not made in order by the Committee on Rules.

Members who have been here for quite some time know that the Committee on Rules is the Speaker's committee. The Speaker decides, and he can call the shots on what comes out of the Committee on Rules. They did not see fit to put in place a budget that could have passed here and would have gone a long way to implement the balanced budget that we have. We do not want to put that in order because it will pass.

Then we talk about campaign reform for all these years. We come and they offer a rule on campaign financing, and they put all of these amendments in order, many of them nongermane, and then they have an amendment that says if something is declared unconstitutional, the whole bill goes down the tubes, a procedure that would absolutely do away with any campaign reform.

The gentleman from California (Mr. PACKARD) and I worked very hard on this military construction bill. It is regrettable that we come down to a situation where we have to have this debate on the rule. But this is just the beginning. There are other appropriations bills that are going to come to this House, and everybody put out press releases that voted for the balanced budget, especially on the Republican side, and the Speaker said not 3 days ago, we balanced the budget, we did all these things, but what you have done, you have done it with a phony vehicle. You have done it with a phony budget.

This is just the beginning of what is going to happen on these appropriations bills. Either you are going to bust the caps or you are going to waive points of order and you are going to go

use emergency amendments, you are going to use fake emergencies to get around the Committee on the Budget. The money is still going to be there, you are going to spend the money, but it is just not going to show up. It is going to show up without offsets and it is going to blow the balanced budget.

This is troubling to me. The gentleman from Florida, bless his heart, he is very emotional. We want to pass Military Construction. I was chairman for over 10 years. The things that he mentioned are not even in the military construction budget. This is a scare tactic.

Mr. Speaker, Military Construction is a good bill. This is a good bill. This does not have the emergency moneys in this one that gets around, but Defense does. Defense has a tremendous amount of money, and I support the defense budget. But when we get to these things, when we get all of these appropriations bills and all the emergencies are counted in, guess what? The gentleman from Wisconsin (Mr. NEUMANN) is exactly right when he was contesting what we were doing in appropriations. It was not popular, but he was exactly right, because you voted for that budget and you voted for it with cuts that were unspecified, and you have programs that nobody wanted to talk about that were unspecified cuts. It was a phony budget that was passed then, and it got no better since it has been passed. I do not like to question rules, but to me this is something that is just going to get worse and worse and worse.

Like I said years ago, this budget is so ugly, like the lady that had the kid that was so ugly they had to get a pork chop around its neck to get the dogs to play with it. This budget, you could not tie enough around its neck to get anybody to play with it. It is a terrible thing for this body to be considering this, because we are going to have to do a lot of this work over again because this budget is phony and these points are going to be raised on other appropriations bills, and rightfully so.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the last two speakers were referring to the rules debate immediately preceding this, and to some other extraneous matters. This Member was not present for that very spirited debate. As I understand it, it was a procedural attempt to keep the legislative ball rolling and the appropriations process on track. But, nonetheless, this rule is not objectionable. I am gratified to hear the gentlemen approve of this rule. After all, it is wide open, and it is as fair as it could be made fair.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, all I want to say, the gentlewoman did not miss a thing by not being here when the other rule was considered.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the rule for consideration of H.R. 4060, the Fiscal Year 1999 Energy and Water Appropriations bill. I first want to thank the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from California (Mr. FAZIO) for their hard work on this important legislation. I also want to thank the gentleman from Texas (Mr. EDWARDS) for the help he has provided my office on this bill. I am especially pleased by the support this legislation provides for addressing the chronic flooding problems of Harris County, Texas. In 1994 southeast Texas suffered some of the worst flooding our area had ever seen. This and more recent floods are a clear reminder that our lives, our infrastructure and our economy depend on sound watershed management. I am pleased that H.R. 4060 includes vital funding for several flood control projects in the Houston area, including Brays, Sims, and Hunting and White Oak bayous.

I am most grateful for the committee's decision to fully fund the Brays Bayou project at $6 million for fiscal year 1999. This flood control project is necessary to improve flood protection for an extensively developed urban area along the Brays in the southwest Harris County. The project consists of three miles of channel improvements, three flood detention basins and seven miles of stream diversion and will provide a 25-year level of flood protection.

The administration's budget did not provide any request for this funding so I appreciate the committee taking the action. I also appreciate that the bill fully funds the ongoing project for Sims Bayou at $18 million rather than the administration's request of $9 million. This is critical to keep this project ongoing to help with the chronic flooding in the area.

Finally, Mr. Speaker, I am pleased that the legislation provides the $60 million which was requested by the U.S. Army Corps of Engineers for the dredging and deepening and widening of the Houston ship channel. This is critically important. This is the second largest port in the Nation, creating more than 200,000 jobs in our area. The administration had only requested $5 million. This is necessary to get the Houston port project on track and moving forward. This is both an economically and fiscally sound project as well as environmentally sound where the port has worked with the environmental community in the Houston area to make the project sound and workable.

I appreciate the work of the chairman and the ranking member on this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. FAZIO).

Mr. FAZIO of California. Mr. Speaker, I rise in support of the rule for H.R. 4060, the Energy and Water Development Appropriations bill for the fiscal year 1999. Bipartisanship has long been the hallmark of this committee, and I am very pleased to report that this spirit has continued during consideration of this year's bill. It was particularly challenging to draft this bill with a painfully low administration request for the Corps of Engineers budget on one side, more than $800 million below what we appropriated just last year, and important, yet expensive DOE-proposed initiatives on the other side.

Although we have improved our position somewhat with the budget allocation, we have still not been able to make this bill whole by any stretch of the imagination. The best that can be said is that we have administered the pain as evenhandedly as possible.

If Members are wondering why the gentleman from Pennsylvania (Mr. MCDADE) and I are retiring, it is because despite adding more than $700 million over the President's budget request to the water development side of the bill, which is so important to our colleagues after two El Nino winters, the bill is still $200 million below last year's level. Consequently, the committee has had to make some tough decisions and adopt some commonsense decision rules in the bill by not funding new construction starts, not funding unauthorized projects and not funding recreation projects unless they are tangential to a flood control or navigation project.

Even so, there are many authorized construction projects in the pipeline which do not receive funding. The operations and maintenance account, dredging and upkeep of our harbors and navigable waterways, is still funded more than $100 million below last year.

□ 1045

These necessary cuts hit home across the country including the important Calfed initiative in my home State of California, an initiative supported by a large number of the California delegation on a bipartisan basis that is $45 million below the 120 million that our committee recommended just last year.

We are clearly feeling the effects of the balanced budget agreement in our bill, and I suspect that, as a pattern, we will have to get used to it for many years to come. Insufficient funding for meritorious water development projects that are important to our Nation's economy will be the watch word for many budget years in the future.

On the energy side of the equation we face similar budget constraints. We had to balance new priorities like the Spallation Neutron Source while sustaining numerous other DOE programs that are essential to the Nation, and while I would like to see an increase in the number for solar and renewable energy programs, I am pleased that this account did not sustain any cuts given

the difficult environment in which the committee was forced to work.

I understand the reasoning behind the committee report's words of caution to the administration pertaining to policy decisions and sound science with regard to global climate change, but I would like to reiterate that the energy efficiency programs funded in this bill are programs that our Nation has been investing in for years, long before the debate over global climate change occurred. I believe that any debate relating to climate change in the Kyoto Protocol should be conducted independently of this bill.

The committee was able to provide an increased diffusion energy program above the administration's request. I am pleased the committee has also provided generous increases in the basic science research and development account and in areas such as high energy physics.

This bill continues to support the crucial effort of our Nation to maintain our nuclear weapons stockpile through the National Ignition Facility and the ASCI program. Because of the tight allocation, there are shortfalls in some areas like the Uranium Enrichment Decontamination and Decommissioning Fund, and I would like to be able to address this and other shortfalls in conference, if it is at all possible.

In short, I think that the gentleman from Pennsylvania (Mr. MCDADE) and our committee have done a good job in a tough year. Mr. MCDADE, who cannot be with us today, I think is a strong advocate of all of the demands that are placed on this bill by people looking to develop the economies of their local regions and districts. He and I support the open rule, but I believe this bill can withstand any amendments that may be proposed on the floor just as it did last year.

So I ask for a yes vote on the rule and a yes vote on the Energy and Water Appropriations bill in hopes that when we get to conference with the other body we may be able to do more of the legitimate requests that have been made of us that we have unfortunately been unable to account for in this bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the remarks of the gentleman from California, the ranking member, and I also appreciate his hard work, that of the entire committee and that of the gentleman from Pennsylvania (Mr. MCDADE) for a very tough job under difficult circumstances.

I have no further speakers, Mr. Speaker.

Mr. MOAKLEY. Mr. Speaker, I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4059, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the vote de novo of agreeing to the resolution, House Resolution 477, on which further proceedings were postponed earlier today.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 231, nays 178, not voting 24, as follows:

[Roll No. 248]

YEAS—231

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Hall (OH)
Hansen
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Maloney (CT)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Mink
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Packard
Pappas
Pastor
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

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Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Gutierrez
Hall (TX)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Lee
Levin
Lipinski
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller (CA)
Minge
Moakley
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Poshard
Price (NC)
Rangel
Rivers
Rodriguez
Roemer
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—24

Barr
Blunt
Cooksey
Gonzalez
Green
Gutknecht
Hastert
Hastings (FL)
Jefferson
Lewis (GA)
Martinez
McDade
McIntosh
McNulty
Meeks (NY)
Oxley
Parker
Reyes
Rothman
Schumer
Shaw
Sununu
Torres
Weldon (FL)